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EXAMINER

SHEPARD, JUSTIN E

ART UNIT PAPER NUMBER

2623

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/081,084	Applicant(s) LAKSONO ET AL.	
	Examiner Justin E. Shepard	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/15/03, 8/22/05</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 5, and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Cheriton.

Referring to claim 1, Cheriton discloses a method comprising the steps of receiving video data (figure 5, column 2, lines 59-60); generating a first version of the video data having a first resolution scale; generating a second version of the video data having a second resolution scale different from the first resolution scale (column 7, lines 2-5); providing the first version as a first multicast video stream for reception by a first subset of a plurality of display devices; and providing the second version as a second multicast video stream for reception by a second subset of the plurality of display devices concurrent with the step of providing the first version (column 6, lines 63-67; column 7, lines 1-8).

Referring to claim 5, Cheriton discloses a method of Claim 1, wherein the steps of providing the first version and providing the second version include: determining a

Art Unit: 2623

first multicast address associated with the first subset; determining a second multicast address associated with the second subset; multicasting the first multicast video stream to the first multicast address; and multicasting the second multicast video stream to the second multicast address (column 6, lines 63-67; column 7, lines 1-8).

Claim 8 is rejected on the same grounds as claims 1 and 5.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 3, 4, 9, 10, 11, 13, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheriton in view of Sachs.

Referring to claim 2, Cheriton discloses a method of Claim 1, wherein the display devices include display devices (figure 5, part 550).

Cheriton does not disclose a method wherein the display devices are wireless.

Sachs discloses a method wherein the display devices are wireless (figure 1, part 190; paragraph 19, lines 2-9).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the wireless transmission taught by Sachs to the method disclosed by Cheriton. The motivation would have been to enable the user to enjoy video playback while not being constrained to one physical location.

Referring to claims 3 and 4, Cheriton does not disclose a method of Claim 2, wherein the steps of providing the first version and the second version includes providing the first version and the second version as a wireless transmission; wherein the wireless transmission is based on a IEEE 802.11 standard.

Sachs discloses a method of Claim 2, wherein the steps of providing the first version and the second version includes providing the first version and the second version as a wireless transmission; wherein the wireless transmission is based on a IEEE 802.11 standard (paragraph 19, lines 2-9).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the wireless transmission taught by Sachs to the method disclosed by Cheriton. The motivation would have been to enable the user to enjoy video playback while not being constrained to one physical location.

Claim 9 is rejected on the same grounds as claim 3.

Referring to claim 10, Cheriton discloses a method of Claim 9, wherein: the first version is multicast over a first channel, the first channel having a first data transmission rate; and the second version is multicast over a second channel, the second channel having a second data transmission rate different from the first data transmission rate (column 6, lines 63-67; column 7, lines 1-8).

Cheriton does not disclose a method wherein the display devices are wireless.

Sachs discloses a method wherein the display devices are wireless (figure 1, part 190; paragraph 19, lines 2-9).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the wireless transmission taught by Sachs to the method disclosed by Cheriton. The motivation would have been to enable the user to enjoy video playback while not being constrained to one physical location.

Claim 11 is rejected on the same grounds as claim 4.

Claim 13 is rejected on the same grounds as claims 8, 10, and 2.

Claim 14 is rejected on the same grounds as claim 11.

Claim 15 is rejected on the same grounds as claim 8.

Claims 6, 7, 12, 16, 17, 21, 22, 22, 23, 34, 35, 36, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheriton in view of Wee.

Referring to claim 6, Cheriton does not disclose a method of Claim 1, wherein the step of generating the first version of the video data includes transcoding the video data.

Wee discloses a method of Claim 1, wherein the step of generating the first version of the video data includes transcoding the video data (paragraph 65, lines 2-11).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the transcoding taught by Wee to the method disclosed by Cheriton. The motivation would have been to enable the system to provide two versions of the video even if the video was not initially coded with removable layers.

Referring to claim 7, Cheriton does not disclose a method of Claim 1, wherein the video data includes MPEG video data.

Wee discloses a method of Claim 1, wherein the video data includes MPEG video data (paragraph 5, lines 4-5).

At the time of the invention it would have been obvious for one of ordinary skill in the art to use MPEG video data, as taught by Wee, in the method disclosed by Cheriton. The motivation would have been that MPEG is a well known way of encoding video data.

Claim 12 is rejected on the same grounds as claim 7.

Claim 16 is rejected on the same grounds as claim 16.

Referring to claim 17, Cheriton discloses a method comprising the steps of: providing the first encoded version for reception by a first plurality of display devices using a first channel of a multicast of the received video stream, wherein the first channel supports a first data transmission rate; and providing the second encoded version for reception by a second plurality of display devices using a second channel of the multicast of the received video stream, wherein the second channel supports a second data transmission rate different from the first data transmission rate (column 6, lines 63-67; column 7, lines 1-8).

Cheriton does not disclose a method wherein generating at a video transcoder a first encoded version of a received video; generating at the video transcoder a second encoded version of the received video.

Wee discloses a method wherein generating at a video transcoder a first encoded version of a received video; generating at the video transcoder a second encoded version of the received video (paragraph 65, lines 2-11).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the transcoding taught by Wee to the method disclosed by Cheriton. The motivation would have been to enable the system to provide two versions of the video even if the video was not initially coded with removable layers.

Claim 21 is rejected on the same grounds as claim 5.

Claim 22 is rejected on the same grounds as claims 1 and 6.

Claim 23 is rejected on the same grounds as claim 7.

Claim 34 is rejected on the same grounds as claim 17.

Claim 35 is rejected on the same grounds as claim 17.

Claim 36 is rejected on the same grounds as claim 23.

Referring to claim 39, Cheriton discloses a video server of Claim 34, further including a video multicast control having an output coupled to the input of said encoder, wherein said video multicast control is to direct the generation of the first version and the second version by said encoder (figure 7).

Claims 18, 19, 20, 37, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheriton in view of Wee as applied to claims 17-19 above, and further in view of Sachs.

Claim 18 is rejected on the same grounds as claim 2.

Claim 19 is rejected on the same grounds as claim 3.

Claim 20 is rejected on the same grounds as claim 4.

Claim 37 is rejected on the same grounds as claim 20.

Claim 38 is rejected on the same grounds as claim 20.

Claims 24, 25, 26, 28, 29, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheriton in view of Aho.

Referring to claim 24, Cheriton discloses a method comprising the steps of: providing a first version of a video to a display device at a first data transmission rate, wherein the first version includes a first resolution scale; a second data transmission rate with the display device; and providing a second version of the video to the wireless display device at the second data transmission rate, wherein the second version includes a second resolution scale different from the first resolution scale (column 6, lines 63-67; column 7, lines 1-8).

Cheriton does not disclose a method that uses wireless devices, or negotiating a second data transmission rate with the wireless display device when a communication capability of the wireless display device changes.

Aho discloses a method that uses wireless devices, or negotiating a second data transmission rate with the wireless display device when a communication capability of the wireless display device changes (column 2, lines 66-67; column 3, lines 1-13).

At the time of the invention it would have been obvious for one of ordinary skill in the art to use the adaptive transmission rate method taught by Aho in the method disclosed by Cheriton. The motivation would have been to provide a system wherein the user can move away from the signal source without losing the feed (Aho: column 3, lines 7-13).

Referring to claim 25, Cheriton does not disclose a method of Claim 24, further including the step of determining a change in the communication capability of the wireless display device.

Aho discloses a method of Claim 24, further including the step of determining a change in the communication capability of the wireless display device (column 2, lines 66-67; column 3, lines 1-13).

At the time of the invention it would have been obvious for one of ordinary skill in the art to use the adaptive transmission rate method taught by Aho in the method disclosed by Cheriton. The motivation would have been to provide a system wherein the user can move away from the signal source without losing the feed (Aho: column 3, lines 7-13).

Referring to claim 26, Cheriton does not disclose a method of Claim 24, wherein the communication capability of the wireless display device includes a rate by which data can be received by the wireless display device.

Aho discloses a method of Claim 24, wherein the communication capability of the wireless display device includes a rate by which data can be received by the wireless display device (column 2, lines 66-67; column 3, lines 1-13).

At the time of the invention it would have been obvious for one of ordinary skill in the art to use the adaptive transmission rate method taught by Aho in the method disclosed by Cheriton. The motivation would have been to provide a system wherein the user can move away from the signal source without losing the feed (Aho: column 3, lines 7-13).

Claim 28 is rejected on the same grounds as claim 8.

Claim 29 is rejected on the same grounds as claim 8.

Claim 31 is rejected on the same grounds as claim 24.

Claims 27 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheriton in view of Aho as applied to the claims above, and further in view of Sachs.

Claim 27 is rejected on the same grounds as claim 11.

Claim 32 is rejected on the same grounds as claim 27.

Claims 30 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheriton in view of Aho as applied to the claims above, and further in view of Wee.

Claim 30 is rejected on the same grounds as claim 12.

Claim 33 is rejected on the same grounds as claim 30.

Claims 40 and 41 rejected under 35 U.S.C. 103(a) as being unpatentable over Cheriton in view of Wee as applied to claim 39 above, and further in view of Aho.

Referring to claim 40, Cheriton does not disclose a video server of Claim 39, wherein said video multicast control includes an output coupled to the input of said network interface, and wherein said video multicast control further is to determine a first data transmission rate associated with the first subset of display devices and to determine a second data transmission rate associated with the second subset of display devices.

Aho discloses a video server of Claim 39, wherein said video multicast control includes an output coupled to the input of said network interface, and wherein said video multicast control further is to determine a first data transmission rate associated with the first subset of display devices and to determine a second data transmission rate associated with the second subset of display devices (column 2, lines 66-67; column 3, lines 1-13).

At the time of the invention it would have been obvious for one of ordinary skill in the art to use the adaptive transmission rate method taught by Aho in the method disclosed by Cheriton. The motivation would have been to provide a system wherein the user can move away from the signal source without losing the feed (Aho: column 3, lines 7-13).

Referring to claim 41, Cheriton does not disclose a video server of Claim 40, wherein said video multicast control further is to provide a first multicast address to said network interface for the multicast of the first version based on the first data transmission rate and to provide a second multicast address to said network interface for the multicast of the second version based on the second data transmission rate.

Aho discloses a video server of Claim 40, wherein said video multicast control further is to provide a first multicast address to said network interface for the multicast of the first version based on the first data transmission rate and to provide a second multicast address to said network interface for the multicast of the second version based on the second data transmission rate (column 2, lines 66-67; column 3, lines 1-13).

At the time of the invention it would have been obvious for one of ordinary skill in the art to use the adaptive transmission rate method taught by Aho in the method disclosed by Cheriton. The motivation would have been to provide a system wherein the user can move away from the signal source without losing the feed (Aho: column 3, lines 7-13).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin E. Shepard whose telephone number is (571) 272-5967. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JS

A handwritten signature in black ink, appearing to read 'Vivek Srivastava', with a stylized flourish at the end.

VIVEK SRIVASTAVA
PRIMARY EXAMINER